

Title

Juliewhyn R. Quindoza v. Atty. Ernesto David Delos Santos and Atty. Marujita S. Palabrica,
G.R. No. [Supreme Court Case Number], January 31, 2023

Facts

1. **Initial Complaint**: Juliewhyn R. Quindoza filed a complaint before the Integrated Bar of the Philippines (IBP) Commission on Bar Discipline to disbar Atty. Ernesto David Delos Santos and Atty. Marujita S. Palabrica.

- **Allegations Against Atty. Delos Santos**: Illicit relationship with Quindoza while legally married to Edita Baltasar, acts of lasciviousness against their daughter Mergarett Veronica Delos Santos.

- **Allegations Against Atty. Palabrica**: Violation of Canons of Professional Ethics by standing as a godmother to the nonmarital child, knowing the illicit affair, and silent toleration of alleged abuse.

2. **Verified Answer**:

- **Atty. Palabrica**: Denied substantive claims, stated minimal relationship with Quindoza and Veronica, and denied knowledge of any abuse.

- **Atty. Delos Santos**: Denied Quindoza was his common-law wife, admitted having a daughter with her, claimed to support Veronica financially, and indicated previous dismissal of criminal complaints.

3. **IBP Investigation**:

- **Commissioner's Recommendation (March 20, 2014)**: Suspended Atty. Delos Santos for two years, dismissed the case against Atty. Palabrica.

- **IBP Board of Governors Resolution (December 13, 2014)**: Disbarred Atty. Delos Santos, dismissed the case against Atty. Palabrica.

- **Reconsideration (November 28, 2017)**: Reduced disbarment to a five-year suspension considering various mitigating factors.

4. **Further Analysis and Supreme Court**:

- Readjusted the suspension to three years, taking additional mitigating circumstances into account.

Issues

1. **Whether Atty. Ernesto Delos Santos should be disbarred or suspended for gross immorality due to cohabiting with multiple mistresses while married.**

2. **Whether Atty. Delos Santos committed acts of lasciviousness against his daughter Veronica, meriting more severe penalties.**
3. **Whether Atty. Marujita S. Palabrica is liable for standing as godmother to a child born out of wedlock and for her alleged passive tolerance of abuse.**

Court's Decision

1. **Atty. Ernesto David Delos Santos:**

- **Gross Immorality:** While Delos Santos had nonmarital relationships, the Court found mitigating circumstances.
- **Suspension Rather than Disbarment:** Considered his remorse, the long interval since misconduct (23 years), the non-cohabitation with his legal wife, and the support he provided for his daughter Veronica. Quarterly suspensions extended to three years instead of disbarment.

2. **Acts of Lasciviousness:**

- **Dismissed:** Prosecutor's Office had previously dismissed the charge due to lack of probable cause.

3. **Atty. Marujita S. Palabrica:**

- **No Liability:** Conduct as a godmother was not deemed grossly immoral. No evidence substantiated the claims of passive tolerance of abuse. Complaint considered baseless, motivated by other legal disputes.

Doctrine

- **Canon 1, Rule 1.01 of Code of Professional Responsibility:** Lawyers must not engage in unlawful, dishonest, immoral, or deceitful conduct.
- **Canon 7, Rule 7.03:** Lawyers must uphold the integrity and dignity of the legal profession and not engage in scandalous behavior.
- **Mitigating Circumstances:** In suspension versus disbarment decisions, courts can consider regrets, the passage of time since the infraction, and character conduct post-incident.

Class Notes

Key Concepts:

1. **Gross Immorality:** Engaging in relationships violating public moral standards, especially while legally married.
2. **Disbarment vs. Suspension:** Determined by severity, remorse shown, subsequent

conduct, and mitigating circumstances.

3. **Canon 1, Rule 1.01**: Violations hinge on conduct considered unlawful, dishonest, or immoral.
4. **Canon 7, Rule 7.03**: Emphasizes maintaining the profession's integrity.
5. **Mitigating Factors** (per A.M. No. 21-08-09-SC): Includes age, humanitarian concerns, and elapsed time.

Historical Background

This case emerges within the evolving judicial standards on professional ethics and personal morality for legal practitioners in the Philippines. Reflecting on precedent settings that stipulate the high conduct standards lawyers must adhere to, the Supreme Court underscores not only adherence to legality but also moral rectitude in both private and public spheres. The ruling further aligns with the Court's caution in wielding its power for disbarment, stressing the importance of contextual considerations in determining penalties for misconduct.